

# Appendix 8

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO, et al., §  
*Plaintiffs,* §  
§  
v. § 5:21-CV-0844-XR  
§ (Consolidated Cases)  
GREGORY ABBOTT, et al. §  
*Defendants.* §

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**DEFENDANT DYANA LIMON-MERCADO'S OBJECTIONS AND RESPONSES TO  
LULAC PLAINTIFFS' THIRD SET OF INTERROGATORIES**

TO: LULAC Plaintiffs, by and through their attorneys of record.

Comes now Defendant Dyana Limon-Mercado in her official capacity as Travis County Clerk, and hereby serves their Objections and Responses to LULAC Plaintiffs' Third Set of Interrogatories.

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANTS**

**DYANA LIMON-MERCADO AND JOSÉ GARZA, IN THEIR OFFICIAL CAPACITIES AS TRAVIS COUNTY CLERK, AND DISTRICT ATTORNEY, RESPECTIVELY.**

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was served on all parties and counsel of record via electronic mail, as follows, on the 23rd day of March, 2023.

*/s/ Anthony J. Nelson*  
ANTHONY J. NELSON  
PATRICK T. POPE  
Assistant County Attorneys

## I. OBJECTIONS TO DEFINITIONS

1. Defendant Limon-Mercado objects to Plaintiff's definition of "you" as including "Travis County, including the Office of the Travis County Clerk, the Travis County Clerk, her predecessors and successors..." This definition is overly broad and improperly includes prior County Clerk administrations not included or the subject of this litigation. Additionally, said definitions could be construed to require the disclosure of information concerning matters made exempt from discovery under Federal Rule of Civil Procedure 26(b)(1) and the Federal Rules of Evidence, including, but not limited to attorney work product, litigation privilege, deliberative process privilege, grand jury proceedings, and ongoing criminal investigations.

## II. RESPONSES AND OBJECTIONS TO LULAC PLAINTIFFS' THIRD SET OF INTERROGATORIES

**INTERROGATORY NO. 1.** Identify and describe all the government interests you purport to be advanced by each of the Challenged Provisions of SB 1. Include in your description how each of the Challenged Provisions serves each interest, including any evidence, and whether you contend each interest was in fact the basis for the enactment of each Challenged Provision.

### **RESPONSE:**

**Objection.** Defendant Limon-Mercado objects to this Interrogatory because she is not a state policymaker and had no involvement in the enactment of SB 1, which is a creation of the Texas Legislature. Defendant Limon-Mercado cannot speculate as to the Texas Legislature's basis for enacting the Challenged Provisions. Defendant Limon-Mercado further objects to this Interrogatory to the extent it seeks legal conclusions which Defendant Limon-Mercado is not qualified to render. The information Plaintiffs seek may be found in the legislative history materials or obtained through discovery requests to state officials involved in the enactment of the Challenged Provisions now codified in the Texas Election Code.

**INTERROGATORY NO. 2.** State and describe all instances of which you are aware, if any, of voter fraud in your county connected to:

- (a) any person advocating for "a specific candidate or measure" to a voter who is holding a sealed mail ballot;

**RESPONSE:**

(b) the use of “photocopied” signatures or signatures other than “ink on paper” on ABBMs.

**RESPONSE:**

Defendant Limon-Mercado is not aware of any instances of voter fraud in Travis County in the responsive period described in subsections (a) and (b) of this Interrogatory.

**INTERROGATORY NO. 3.** For the November 2022 general election, please provide the following data regarding ABBMs and mail ballots:

- a. Number of ABBMs received by the county;

**RESPONSE: 28,516.**

- b. Number of ABBMs the county flagged for rejection because of an application defect of any kind;

**RESPONSE: 1,784.**

- c. Number of ABBMs that the county ultimately accepted after an applicant cured a recorded defect of any kind;

**RESPONSE: 398.**

- d. Number of ABBMs the county flagged for rejection because of an Omission Defect;

**RESPONSE: Missing ID from Application, ID Mismatch between Application and VR system, ID Provided on Application not in VR System – 761.**

- e. Number of ABBMs the county flagged for rejection because of a Mismatch Defect;

**RESPONSE: VR System does not distinguish between missing or mismatched ID in Application Rejection Coding.**

- f. Number of ABBMs that the county ultimately accepted after an applicant cured either a Mismatch Defect or Omission Defect;

**RESPONSE: Missing ID from Application, ID Mismatch between Application and VR system, ID Provided on Application not in VR System -190.**

- g. Number of carrier envelopes the county received and reviewed for defects of any kind;

**RESPONSE: 21,443.**

- h. Number of carrier envelopes the county flagged for rejection because of a defect of any kind;

**RESPONSE: 953.**

- i. Number of mail ballots that the county ultimately accepted and counted after a voter cured a carrier envelope defect of any kind;

**RESPONSE: 459.**

- j. Number of carrier envelopes the county flagged for rejection because of an Omission Defect;

**RESPONSE: Missing ID on Ballot – 575 ; ID Provided not in VR System – 16.**

- k. Number of carrier envelopes the county flagged for rejection because of a Mismatch Defect;

**RESPONSE: ID on Ballot does not Match VR System – 236.**

- l. Number of ballots that the county ultimately accepted and counted after a voter cured either a Mismatch Defect or Omission Defect.

**RESPONSE: 401**